

1 SENATE BILL NO. 291

2 INTRODUCED BY C. POPE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ELECTRIC VEHICLE CHARGING STATION LAWS;
5 ALLOWING ENTITIES TO PURCHASE POWER FROM WHOLESALE POWER MARKETS; PROVIDING FOR
6 PER KILOWATT HOUR FEES; AMENDING SECTIONS 69-8-801, 69-8-802, AND 69-8-803, MCA; AND
7 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 69-8-801, MCA, is amended to read:12 **"69-8-801. Definitions.** As used in this part, the following definitions apply:

13 (1) "Electric vehicle charging company" means any party procuring power for the commercial
14 purpose of electric vehicle charging.

15 ~~(1)~~ (2) "Electric vehicle charging station" means a commercial charging station including all required
16 equipment for the provision of power and fueling of electric vehicles.

17 ~~(2) "Entity" means any party procuring power for the commercial purpose of electric vehicle charging."~~

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19 **Section 2.** Section 69-8-802, MCA, is amended to read:

20 **"69-8-802. Electric vehicle charging stations -- rate approval.** (1) A public utility ~~may~~ shall provide
21 electric service to an electric vehicle charging station under a rate approved by the commission. A public utility
22 ~~electing to provide such service~~ shall apply to the commission for an approved rate before ~~agreeing to provide~~
23 providing the service to a customer.

24 (2) Any rate for providing electric service to an electric vehicle charging station must be designed by
25 the commission to fully recover from the electric charging station customer the full cost of providing the service
26 without subsidization from other customers or customer classes.

27 (3) Rates for the purpose of providing service to an electric vehicle charging station may consider the
28 implementation of demand response programs and time-of-use rate structures."

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Section 3. Section 69-8-803, MCA, is amended to read:

"69-8-803. Electric vehicle charging stations -- service ~~entity~~ requirements. (1) A public utility ~~may~~ shall allow an electric vehicle charging station that meets the requirements in subsection (2) to be interconnected to its distribution system.

(2) A public utility may sell power to an ~~entity~~ electric vehicle charging company to service electric vehicle charging stations that:

- (a) procure power supplied by the public utility for the purpose of electric vehicle charging; and
- (b) service electric vehicle charging stations within the public utility's service territory.

(3) ~~Entities~~ Electric vehicle charging companies operating electric vehicle charging stations are not public utilities.

~~(4) Charges pertaining to fueling electric vehicles may not be based on the cost of electricity.~~

(4) Electric vehicle charging companies operating charging stations may procure power for the purpose of vehicle charging from public utilities and from the wholesale power market and may base electric services on per kilowatt hour charges."

NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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